



PATENT  
Docket No.: 200701/1230

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|            |   |                                   |   |                |
|------------|---|-----------------------------------|---|----------------|
| Applicants | : | Schultz et al.                    | ) | Examiner:      |
|            |   |                                   | ) | To Be Assigned |
| Serial No. | : | 10/813,866                        | ) |                |
| Cnfrm. No. | : | 5574                              | ) | Art Unit:      |
|            |   |                                   | ) | 3752           |
| Filed      | : | March 31, 2004                    | ) |                |
| For        | : | INTEGRATED MONOLITHIC             | ) |                |
|            |   | MICROFABRICATED DISPENSING NOZZLE | ) |                |
|            |   | AND LIQUID CHROMATOGRAPHY-        | ) |                |
|            |   | ELECTROSPRAY SYSTEM AND METHOD    | ) |                |

SUBMISSION OF SUBSTITUTE SPECIFICATION

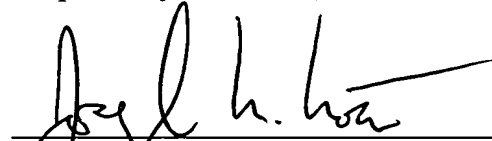
**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

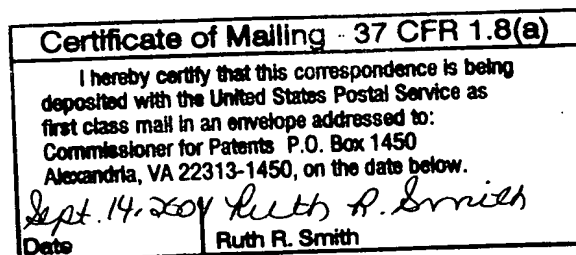
In response to the Notice to File Corrected Application Papers mailed by the U.S. Patent and Trademark office on June 14, 2004, applicants hereby submit the enclosed substitute specification. In accordance with 37 C.F.R. § 1.121(b)(3), applicants respectfully request that the enclosed substitute specification replace the specification filed on March 31, 2004. Applicants also submit that the substitute specification is being filed to eliminate stray marks and that the substitute specification contains no new matter.

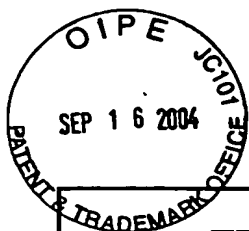
Respectfully submitted,

Date: 9-14-04

  
Joseph M. Noto  
Registration No. 32,163

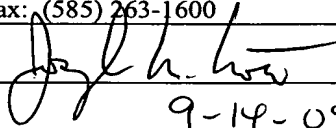
NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1601  
Facsimile: (585) 263-1600

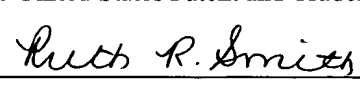




|   |                      |                        |             |
|---|----------------------|------------------------|-------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number   | 10/813,866             |             |
|   | Filing Date          | March 31, 2004         |             |
|   | First Named Inventor | Schultz                |             |
|   | Group Art Unit       | 3752                   |             |
|   | Examiner Name        | Unknown                |             |
| Total Number of Pages in This Submission  | 6264                 | Attorney Docket Number | 200701/1230 |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures<br><input type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><input checked="" type="checkbox"/> Submission of Substitute Specification |
| Remarks  |   | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Joseph M. Noto<br>Nixon Peabody LLP<br>Clinton Square, P.O. Box 31051<br>Rochester, New York 14603-1051<br>Telephone: (585) 263-1601<br>Fax: (585) 263-1600 |
| Signature                                  |  Registration No. 32,163   |
| Date                                       | 9-14-04   |

| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]  |   |
|---|---|
| I hereby certify that this correspondence is being:   |   |
| <input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 |   |
| <input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____   |   |
| September 14, 2004<br>Date  | <br>Signature<br>Ruth R. Smith<br>Typed or printed name |

## FEE TRANSMITTAL

FOR FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

0

Complete if Known

Application Number

10/813,866

Filing Date

March 31, 2004

First Named Inventor

Schultz

Examiner Name

Unknown

App Unit

3752

Attorney Docket No.

200701/1230

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number

14-1138

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001                  | 770                   | 2001                  | 385                   | Utility filing fee     |          |
| 1002                  | 340                   | 2002                  | 170                   | Design filing fee      |          |
| 1003                  | 530                   | 2003                  | 265                   | Plant filing fee       |          |
| 1004                  | 770                   | 2004                  | 385                   | Reissue filing fee     |          |
| 1005                  | 160                   | 2005                  | 80                    | Provisional filing fee |          |

SUBTOTAL (1)

(\$) 0

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
|                    | -20** =      | X              | 0        |
| Independent Claims | -3** =       | X              | 0        |
| Multiple Dependent | X            |                | 0        |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1202                  | 18                    | 2202                  | 9                     | Claims in excess of 20                                     |
| 1201                  | 86                    | 2201                  | 43                    | Independent claims in excess of 3                          |
| 1203                  | 290                   | 2203                  | 145                   | Multiple dependent claim, if not paid                      |
| 1204                  | 86                    | 2204                  | 43                    | ** Reissue independent claims over original patent         |
| 1205                  | 18                    | 2205                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |
| 1403                  | 290                   | 2403                  | 145                   | Request for oral hearing   |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |
| 1453                  | 1,330                 | 2453                  | 665                   | Petition to revive - unintentional   |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(q)  |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |
| 1809                  | 770                   | 2809                  | 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |
| 1810                  | 770                   | 2810                  | 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

55

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

September 14, 2004

Date

Signature

Ruth R. Smith

Typed or printed name

## SUBMITTED BY

Name (Print/Type)

Joseph M. Moto

Registration No.  
(Attorney/Agent)

32,163

Signature

## Complete (if applicable)

Telephone

(585) 263-1601

Date

September 14, 2004

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/813,866         | 03/31/2004             | Gary A. Schultz       | 200701/1230            |

Michael L. Goldman  
 Nixon Peabody LLP  
 Clinton Square  
 P.O. Box 31051  
 Rochester, NY 14603-1051



CONFIRMATION NO. 5574

## FORMALITIES LETTER



\*OC000000012945021\*

Date Mailed: 06/14/2004

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 1-21, 26, 27 are not in compliance with 37 CFR 1.52(a).

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Y. G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE